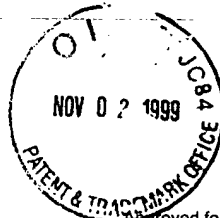


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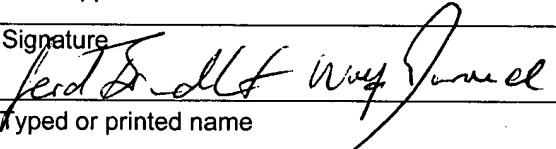
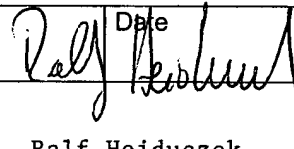
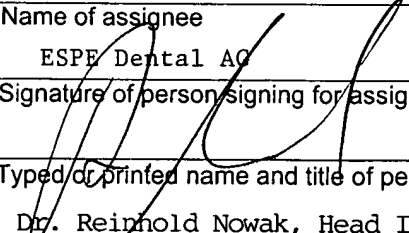


PTO/SB/53 (12-97)

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REISSUE APPLICATION BY THE INVENTOR, OFFER TO SURRENDER PATENT		Docket Number (Optional) 1860/48111RE
<p>This is part of the application for a reissue patent based on the original patent identified below.</p>		
Name of Patentee(s) Brandhorst et al.		
Patent Number 5,653,360	Date Patent Issued August 5, 1997	
Title of Invention Device For Emptying A Film Tube		
<p>I am the inventor of the original patent.</p> <p>I offer to surrender the original patent.</p> <p>1. <input checked="" type="checkbox"/> Filed herein is a certificate under 37 CFR 3.73(b).</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.</p> <p>One of boxes 1 or 2 above must be checked.</p> <p>The written consent of all assignees owning an undivided interest in the original patent is included in this application for reissue.</p>		
Signature 		Date 
Typed or printed name Gerd Brandhorst, Wolf-Dietrich Herold, Ralf Heiduczek		
The assignee owning an undivided interest in said original patent is <u>ESPE Dental AG</u> and the assignee consents to the accompanying application for reissue.		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.		
Name of assignee ESPE Dental AG		
Signature of person signing for assignee 		Date October 26, 1999
Typed or printed name and title of person signing for assignee Dr. Reinhold Nowak, Head Intellectual Property Dept.		

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

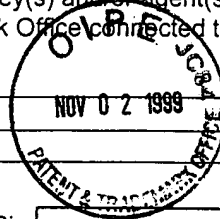
Docket Number (Optional)

1860/48111RE

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s)

Registration Number



Correspondence Address: Direct all communications about the application to:



Customer Number



Place Customer Number Bar Code Label here

OR

Type Customer Number here

<input checked="" type="checkbox"/> Firm or Individual Name	Evenson, McKeown, Edwards & Lenahan, P.L.L.C.				
Address	Suite 700				
Address	1200 G Street, N.W.				
City	Washington,	State	D.C.	ZIP	20005
Country	United States				
Telephone	202-628-8800	Fax	202-628-8844		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.					
Full name of sole or first inventor (given name, family name) Gerd Brandhorst					
Inventor's signature <i>Gerd Brandhorst</i>					
Residence	D-86899 Landsberg		Date	October 11, 1999	
Post Office Address	Ummendorferstrasse 14, D-86899 Landsberg		Citizenship	German	
Full name of second joint inventor (given name, family name) Wolf-Dietrich Herold					
Inventor's signature <i>Wolf-D. Herold</i>		Date <i>12th Oct. 1999</i>			
Residence	D-82229 Seefeld		Citizenship	German	
Post Office Address Hoehenweg 13, D-82229 Seefeld					
Full name of third joint inventor (given name, family name) Ralf Heiduczek					
Inventor's signature <i>Ralf Heiduczek</i>		Date October 22, 1999			
Residence	D-83183 Bischofswiesen		Citizenship	German	
Post Office Address Klausweg 2, D-83183 Bischofswiesen					
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.					



PTO/SB/51 (12-97)

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REISSUE APPLICATION DECLARATION BY THE INVENTOR	
Docket Number (Optional) 1860/48111RE	
<p>As a below named inventor, I hereby declare that: My residence, post office address and citizenship are stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number <u>5,653,360</u>, granted <u>August 5, 1997</u>, and for which a reissue patent is sought on the invention entitled <u>Device for Emptying a Film Tube</u></p> <p>the specification of which <input type="checkbox"/> is attached hereto.</p> <p><input checked="" type="checkbox"/> was filed on <u>August 5, 1999</u> as reissue application number <u>09 / 368,505</u> and was amended on _____ (If applicable)</p> <p>I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)</p> <p><input type="checkbox"/> by reason of a defective specification or drawing. <input checked="" type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent. <input type="checkbox"/> by reason of other errors.</p> <p>At least one error upon which reissue is based is described as follows: Original independent claims 1 and 4 of the patent recite that the housing is "cylindrical" housing and "said housing having an inner diameter and including an end portion having a ring support surface, the cap having a dispensing opening, an annular engaging portion surrounding the dispensing opening and cooperating with said ring for sealing the dispensing end of the tube, and a cylindrical end portion adapted to engage the end portion of the housing, said ring having a peripheral portion which exceeds the inner diameter of the housing for engaging said ring supporting surface. . ."</p> <p>These recitations render the original patent wholly or partly inoperative by reason of the patentee claiming less than what the patentee was entitled to as patentee is entitled to broader claims not including the limitations set forth in these recitations.</p>	

[Page 1 of 2]

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) 1860/48111RE	
<p>All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.</p> <p>Name(s) _____ Registration Number _____</p> <p>_____</p> <p>_____</p>			
<p>Correspondence Address: Direct all communications about the application to:</p> <p><input type="checkbox"/> Customer Number _____ Place Customer Number Bar Code Label here</p> <p>OR _____ Type Customer Number here</p>			
<input checked="" type="checkbox"/> Firm or Individual Name	Evenson, McKeown, Edwards & Lenahan, P.L.L.C.		
Address	Suite 700		
Address	1200 G Street, N.W.		
City	Washington,	State	D.C. ZIP 20005
Country	United States		
Telephone	202-628-8800	Fax	202-628-8844
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.</p>			
Full name of sole or first inventor (given name, family name)			
Gerd Bradhorst			
Inventor's signature			
Residence	D-86899 Landsberg		Date October 11, 1999
Post Office Address	Ummendorferstrasse 14, D-86899 Landsberg		Citizenship German
Full name of second joint inventor (given name, family name)			
Wolf-Dietrich Herold			
Inventor's signature		Date 12 th Oct. 1999	
Residence	D-82229 Seefeld		Citizenship German
Post Office Address Hoehenweg 13, D-82229 Seefeld			
Full name of third joint inventor (given name, family name)			
Ralf Heiduczek			
Inventor's signature		Date October 22, 1999	
Residence	D-83183 Bischofswiesen		Citizenship German
Post Office Address Klausweg 2, D-83183 Bischofswiesen			
<p><input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.</p>			